

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

UNITED STATES OF AMERICA	*	CRIMINAL NO. 6:20-cr-00161
	*	
VERSUS	*	
	*	JUDGE JUNEAU
BRANDON MICHAEL MOSING	*	MAGISTRATE JUDGE WHITEHURST

PLEA AGREEMENT

A. INTRODUCTION

This document contains the complete plea agreement between the government and BRANDON MICHAEL MOSING, the defendant. No other agreement, understanding, promise, or condition exists, nor will any such agreement, understanding, promise or condition exist unless it is committed to writing in an amendment attached to this document and signed by the defendant, an attorney for the defendant, and an attorney for the government. The terms of this plea agreement are only binding on the defendant and the government if the Court accepts the defendant's guilty plea.

B. THE DEFENDANT'S OBLIGATIONS

BRANDON MICHAEL MOSING shall waive Grand Jury presentment of the charges filed in this case and shall appear in open court and plead guilty to Counts One and Two of the Bill of Information pending in this case.

C. THE GOVERNMENT'S OBLIGATIONS

1. If the defendant completely fulfills all obligations and agreements under this plea agreement, the Government agrees it will not prosecute the Defendant for any offense known to the United States Attorney's office, based on the investigation which forms the basis of the Bill of Information.

2. The Government will and hereby moves pursuant to U.S.S.G. § 3E1.1(b) for the defendant to receive a one-point reduction in offense level should that offense level be 16

or greater, as the defendant has assisted authorities in the investigation or prosecution of his own misconduct by timely notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the Court to allocate resources efficiently.

D. SENTENCING

BRANDON MICHAEL MOSING understands and agrees that:

1. As to Count 1 of the Bill of Information, the punishment is a term of imprisonment of not less than ten (10) years nor more than life, pursuant to 21 U.S.C. § 841(b)(1)(A), a fine of not more than \$10,000,000.00 pursuant to 21 U.S.C. § 841(b)(1)(A), or both;

2. As to Count 2 of the Bill of Information, the punishment is a term of imprisonment of not more than ten (10) years pursuant to 18 U.S.C. § 924(a)(2), a fine of not more than \$250,000.00 pursuant to 18 U.S.C. § 3571, or both.

3. The defendant shall be required to pay a special assessment of \$100 **at the time of the guilty plea** by means of a cashier's check, official bank check, or money order payable to "Clerk, U.S. District Court";

4. The defendant may receive a term of supervised release of not less than five (5) years nor more than life in addition to any term of imprisonment imposed by the Court as to Count 1. The defendant may receive a term of supervised release of not more than three (3) years in addition to any term of imprisonment imposed by the Court as to Count 2;

5. A violation of any condition of supervised release at any time during the period of supervised release may result in the defendant being incarcerated over and above any period of imprisonment initially ordered by the Court;

6. The period of incarceration for a violation of a condition of supervised release could be as much as the full term of supervised release initially ordered by the Court,

regardless of the amount of time of the supervised release the defendant has successfully completed;

7. Any fine imposed as part of the defendant's sentence will be made due and payable immediately, and any federal income tax refund received by the defendant from the Internal Revenue Service while there is an outstanding fine shall be applied toward the fine;

8. The defendant expressly authorizes the U.S. Attorney's Office to immediately obtain a credit report on him to be used in consideration of his ability to pay any fine that may be imposed by the Court;

9. As part of the presentence investigation, the government will make available to the Court all evidence developed in the investigation of this case;

10. This case is governed by the Sentencing Reform Act as modified by United States v. Booker, 543 U.S. 220 (2005), and the defendant has discussed the Sentencing Guidelines and its applicability with his counsel and understands and acknowledges that a final determination of the applicable guidelines range cannot be made until the completion of the presentence investigation;

11. The sentencing judge alone will decide what sentence to impose; and

12. The failure of the Court to adhere to a sentencing recommendation tendered by counsel shall not be a basis for setting aside the guilty plea which is the subject of this agreement.

E. REINSTATEMENT OF ORIGINAL BILL OF INFORMATION

BRANDON MICHAEL MOSING understands and agrees that should this plea be overturned for any reason at a later date, the Bill of Information, in its entirety, will be automatically reinstated without need for presentment to a Grand Jury or any motion or other action by the Government.

F. DUPLICITY

In consideration of this plea agreement, BRANDON MICHAEL MOSING waives any objection to the Bill of Information on the grounds of duplicity.

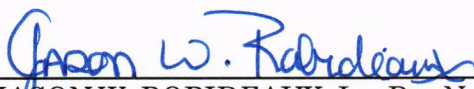
G. ENTIRETY OF AGREEMENT

This plea agreement consists of this document and any sealed addendum required by Standing Order 1.86. References in this document to "agreement" or "plea agreement" refer to both this document and any sealed addendum. The defendant, the defendant's attorney, and the government acknowledge that this agreement is a complete statement of the parties' agreement in this case. It supersedes all other plea agreements and may not be modified unless the modification is in writing and signed by all parties. No other promises have been made or implied.

H. SIGNATURE OF ATTORNEY FOR THE DEFENDANT, THE DEFENDANT, AND THE ATTORNEY FOR THE GOVERNMENT

I have read this plea agreement and have discussed it fully with my client, BRANDON MICHAEL MOSING. I concur in BRANDON MICHAEL MOSING pleading guilty as set forth in this plea agreement.

Dated: 7/9/20

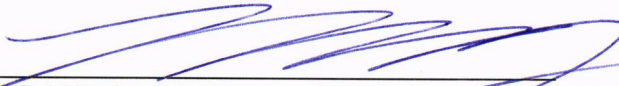


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Counsel for Defendant

I have read this plea agreement and have discussed it with my attorney. I fully understand the plea agreement and accept and agree to it without reservation. I do this voluntarily and of my own free will. No threats have been made to me, nor am I under the influence of anything that could impede my ability to fully understand this plea agreement.

I am satisfied with the legal services provided by my attorney in connection with this plea agreement and the matters related to this case.

Dated: 7/9/20



BRANDON MICHAEL MOSING
Defendant

I accept and agree to this plea agreement on behalf of the United States of America.

DAVID C. JOSEPH
United States Attorney

Dated: 7-27-20



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